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Message Text

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13-11
ORIGIN EB-07

INFO OCT-01 ARA-06 ISO-00 TRSE-00 CIAE-00 COME-00 DODE-00

DOTE-00 FMC-01 INR-07 NSAE-00 SAL-01 CG-00 DLOS-06

OES-06 L-03 /038 R

DRAFTED BY EB/TCA/MA:JAPURNELL:BST
APPROVED BY EB/TCA/MA:RKBANK
ARA/BR:TSHUGART
ARA/ECP:WBURSON
CUSTOMS:MR.FRITZ (SUBS)
---------- 070051
R 192327Z JUL 76
FM SECSTATE WASHDC
TO AMEMBASSY BRASILIA
INFO AMCONSUL RIO DE JANEIRO
AMCONSUL SAO PAULO

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E.O. 11652: N/A

TAGS: EWWT

SUBJECT: POSSIBLE DISCRIMINATORY LIGHT/BUOY DUES

REF: STATE 173636

1. WE RECEIVED A REPORT FROM THE AMERICAN INSTITUTE OF MERCHANT SHIPPING (AIMS) THAT ONLY FOREIGN-FLAG VESSELS ARE REQUIRED TO PAY LIGHT/BUOY DUES AT BRAZILIAN PORTS. ALSO, THE TRANSLATION OF DECREE NO. 70.198 OF FEBRUARY 24, 1972, FURNISHED US MENTIONS THAT FOREIGN VESSELS MUST PAY THESE DUES, BUT SAYS NOTHING ABOUT BRAZILIAN-FLAG VESSELS. WE WOULD APPRECIATE YOUR DETERMINING IF BRAZILIAN-FLAG VESSELS ARE EXEMPTED FROM PAYING THESE LIGHT/BUOY DUES.

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2. FYI: BRAZILIAN-FLAG VESSELS ARE ON THE LIST OF FLAG

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VESSELS WHICH THE U.S. CUSTOMS SERVICE EXEMPTS FROM PAYING LIGHT DUES IN U.S. PORTS, ON THE BASIS OF A RECIPROCAL EXEMPTION IN BRAZILIAN PORTS FOR U.S. FLAG VESSELS. WE BELIEVE THE BRAZILIANS MAY WELL BE JUSTIFIED IN IMPOSING THE DUES ON CERTAIN FOREIGN-FLAG VESSELS IN RETALIATION FOR SIMILAR CHARGES BRAZILIAN VESSELS MUST PAY IN CERTAIN EUROPEAN PORTS. WE BELIEVE, HOWEVER,THAT THE BRAZILIAN DUES SHOULD APPLY ONLY TO FLAG-VESSELS OF THOSE COUNTRIES, BUT NOT TO THOSE OF THE U.S.

3. IF EMBASSY CONFIRMS THAT BRAZILIAN VESSELS ARE EXEMPTED FROM PAYING THESE DUES, DEPARTMENT WOULD WELCOME EMBASSY'S VIEWS ON WHETHER USG SHOULD COMPLAIN AT THIS TIME OR SHOULD WAIT UNTIL ONGOING PROBLEM WITH SHIPMENTS OF FROZEN ORANGE JUICE CONCENTRATE IS RESOLVED. WE CANNOT REFRAIN FROM COMPLAINING IF THE DISCRIMINATION EXISTS, BUT MAY BE ABLE TO POSTPONE OUR COMPLAINT IN ORDER TO AVOID GIVING THE BRAZILIANS THE IDEA THAT WE ARE ON ANTI-BRAZIL CAMPAIGN. KISSINGER

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Disposition Remarks:
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